

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

DRESTON F. WALKER,	:	
Plaintiff,	:	Case No. 3:07CV0225
vs.	:	District Judge Thomas M. Rose
	:	Magistrate Judge Sharon L. Ovington
	:	
ERNIE MOORE, WARDEN	:	
Lebanon Correctional Institution	:	
Defendant.	:	

ORDER

The Court has reviewed *de novo* the Report and Recommendations of United States Magistrate Judge (Doc. #14), to whom this case was originally referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby adopts said Report and Recommendations. It is therefore **ORDERED** that:

1. The Report and Recommendations filed on January 8, 2008 (Doc. #14) is ADOPTED;
2. Petitioner's Motion for Certificate of Appealability (Doc. # 12) is DENIED;
3. Petitioner's first and second motions to proceed *in forma pauperis* (Doc. # 11 and 13) are DENIED; and,
4. This case remains terminated on the docket of this court.

January 30, 2008

s/THOMAS M. ROSE

Thomas M. Rose
United States District Judge